

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MAXINE ELLIS,)
)
) No. C10-1599 BZ
)
Plaintiff(s),)
)
v.)
)
)
DOTNEXT INC.; LEAPFISH INC.;) **ORDER RESOLVING**
BEHNAM BEHROUZI; RUSSELL) **PLEADING MOTIONS**
SAFAR; DOES 1-10 inclusive,)
)
Defendant(s).)
)
_____)

Plaintiff having voluntarily dismissed Leapfish, **IT IS**
HEREBY ORDERED that Leapfish's motion to dismiss (Docket No.
6) is **DENIED AS MOOT** and that the hearing on that motion
presently scheduled for July 21, 2010 is **VACATED**.

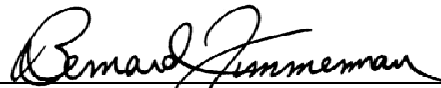
Having received statements of non-opposition from
defendants DotNext and Behrouzi, **IT IS HEREBY ORDERED** that
plaintiff's motion to file a supplemental complaint (Docket
No. 21) is **GRANTED**. Defendants shall answer by **July 19, 2010**.

The impact of the supplemental complaint on defendant

1 Safar's motion to dismiss (Docket No. 7) and the impact of the
2 DotNext's answer and amended counterclaim (Docket No. 29) on
3 plaintiff's motion to dismiss (Docket No. 19), is unclear.

4 **IT IS THEREFORE ORDERED** that by **July 9, 2010** the parties shall
5 meet and confer and thereafter file a joint writing clarifying
6 which motions still need Court resolution. The parties shall
7 also discuss whether they are not better off using their
8 resources in an early settlement effort, as opposed to a
9 pleading war. The Court is prepared to schedule an early ADR
10 at the parties request.

11 Dated: July 2, 2010



12 _____
13 Bernard Zimmerman
14 United States Magistrate Judge

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